

November 28, 2016

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UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

-v-

Case No. 15-20040  
Volume 1

TASHUN YVONNE WHITE,

Defendant.

/

JURY TRIAL

BEFORE THE HONORABLE JUDITH E. LEVY  
UNITED STATES DISTRICT JUDGE

NOVEMBER 28, 2016

APPEARANCES:

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P R O C E E D I N G S

THE CLERK: The Court calls case number 15-20040, United States vs Tashun White.

THE COURT: Why don't we have appearances for the record. I'd like to make a record of the fact that we're here and ready to go and then we'll see if we can find Mr. Jordan, so.

MR. GILMER-HILL: Good morning, your Honor. Carl Gilmore-Hill with the U.S. Attorney's Office appearing on behalf of the United States.

THE COURT: Okay. Go right ahead.

MR. GILMER-HILL: With me this morning is Karen Wynns, a paralegal with the U.S. Attorney's Office and Special Agent Jeff Campbell with the Drug Enforcement Administration.

THE COURT: Well, thank you, very much. And Ms. White, that's you?

THE DEFENDANT: That would be me, yes.

THE COURT: Okay. And please be seated. I want to observe on the record that Mr. Carl Jordan has made an appearance in this case, indicated at the final pretrial conference that he would be serving as trial counsel. And it's now 8:42. The trial was to begin at 8:30. And he has not appeared in the courtroom or in the courthouse so far as we know.

I am aware that he took a trip or I think he had a

1 vacation or something recently and perhaps he got delayed, so.  
2 He just got a message to Felicia that he'll be ten more  
3 minutes and then he'll be here. We'll be off the record for a  
4 minute while we just wait for him.

5 (Off The Record)

6 THE COURT: Mr. Jordan.

7 MR. JORDAN: Yes, your Honor.

8 THE COURT: Welcome to the Court. I just want to  
9 make sure you're aware it was scheduled for 8:30. It's now  
10 just a few minutes before 9:00.

11 MR. JORDAN: I apologize to you and your staff and  
12 Mr. Gilmer-Hill. I'm not used to taking this way. But I  
13 understand how long it will take me to get here at 8:30. It  
14 won't happen again. Thank you.

15 THE COURT: Okay. I just wanted to make sure you  
16 knew. And we understand that when we set a deadline it needs  
17 to be met.

18 MR. JORDAN: I understand.

19 THE COURT: But I'm glad that you're here and that  
20 you're safe and sound. Why don't we go over a few things so  
21 that we can try to regain the time that we've lost. The first  
22 is I received a joint statement of the case or a proposed  
23 joint statement of the case that I saw by the e-mail  
24 correspondence had been drafted by Mr. Gilmer-Hill. And I  
25 don't know if you had time to have any input on that.

1 MR. JORDAN: I did review it, your Honor. The only  
2 changes I would like to make is it says -- and I don't have it  
3 in front of me. But I believe it says that the defendants  
4 were involved in drug trafficking. I would like for it to say  
5 allegedly. Because even though some of the defendants have  
6 already plead, still Ms. White here has not been convicted of  
7 anything. So that these are just allegations.

8 Again, I know that that might seem like it's mixing  
9 hairs. But that one word allegedly might make a difference  
10 with respect to the juror's understanding nothing has been  
11 proven against Ms. White yet.

12 THE COURT: My response to that and my concern is  
13 that I took the guilty pleas and a factual basis was put on  
14 the record for each of the guilty pleas. And they did, in  
15 deed, admit to drug trafficking and money laundering.

16 MR. JORDAN: Yes.

17 THE COURT: So I want to make sure that it's only  
18 alleged with respect to your client. But the other -- the  
19 several people that are in this proposed statement, in deed,  
20 did engage in drug trafficking and money laundering.

21 MR. JORDAN: Yes, that is correct, your Honor. And I  
22 would think that it would be appropriate for it to read that  
23 some have actually been convicted. That's fine. But again,  
24 with respect to Ms. White, I think there needs to be a  
25 distinction that she has not been found guilty of anything

1 yet.

2 THE COURT: Well, here's the change that I have.  
3 What we already have is this is a case about several people --  
4 you don't want it to say who plead guilty to money -- drug  
5 trafficking and money laundering.

6 MR. JORDAN: I'm sorry. If I can have a -- I don't  
7 have a copy before me, your Honor.

8 THE COURT: Let's go off the record for a minute.

9 (Off The Record)

10 THE COURT: Okay. Let's just put that on the record.  
11 So we've just discussed a three-sentence joint statement of  
12 the case that both the Government agrees with and Ms. White  
13 and her lawyer. Is that true, Mr. Gilmer-Hill?

14 MR. GILMER-HILL: Yes, your Honor, that's correct.

15 MR. JORDAN: That's correct, your Honor.

16 THE COURT: Okay. So we've got that. The next thing  
17 is I can go either way with this. And I leave it to you  
18 whether the jurors take notes or not. Mr. Gilmer-Hill, do you  
19 have any position on whether they should or should not take  
20 notes?

21 MR. GILMER-HILL: I am fine with the jurors taking  
22 notes. When that change to the rules first raised its head, I  
23 was actually less comfortable. But in my experience, it  
24 proves to be an aid for the jury. And I have no problem with  
25 that in that regard.

1 THE COURT: Okay.

2 MR. GILMER-HILL: At the appropriate time, in  
3 addition to the proposed jury instructions that the Government  
4 has thus far has submitted, I do have an additional  
5 instruction that I might care to add. Simply one that states  
6 that the jurors' recollection controls regardless of any  
7 summaries of the statements that the attorneys provide in  
8 closing statements.

9 THE COURT: Okay.

10 MR. JORDAN: I have no problem if they take notes,  
11 your Honor.

12 THE COURT: Okay. My only concern, just to put it  
13 out there, is I think that -- I worry that those jurors who've  
14 been to college or graduate school are probably more used to  
15 taking notes. And I don't want them to have a  
16 disproportionate influence in the jury deliberations. I want  
17 everyone's collective memories to contribute. But I think  
18 having said that, it just gives them a little something to  
19 focus on and stay alert sometimes. And so it has appeared to  
20 me that it's been helpful to jurors. So we'll permit note  
21 taking.

22 In terms of the number of jurors, obviously we need  
23 12. We'll have two alternates, unless either of you think  
24 there's something about this case that would last longer than  
25 anticipated and we need more than two alternates.

1 MR. GILMER-HILL: I think two should be sufficient,  
2 your Honor.

3 MR. JORDAN: As do I, your Honor.

4 THE COURT: Okay. So in light of that then, Mr.  
5 Jordan, you will have ten peremptories and the Government is  
6 six. And in terms of the alternates, I'd like to have them  
7 seated randomly unless either of you want them to be the last  
8 two jurors. Mr. Jordan?

9 MR. JORDAN: I have no preference, your Honor.

10 THE COURT: Okay.

11 MR. JORDAN: So that's fine.

12 THE COURT: Mr. Gilmer-Hill?

13 MR. GILMER-HILL: That's fine with the Government,  
14 your Honor. Thank you.

15 THE COURT: Okay. Then I have received from the  
16 Government proposed voir dire questions. Do you have any  
17 proposed questions?

18 MR. JORDAN: I do, your Honor. I've given them to  
19 Mr. Gilmer-Hill. May I approach?

20 THE COURT: Yes.

21 MR. JORDAN: I tried to keep mine case specific, your  
22 Honor.

23 THE COURT: Let me ask you, all of the defendants  
24 have plead guilty in this case, right?

25 MR. JORDAN: That's my understanding, your Honor.



1 MR. GILMER-HILL: All except Ms. White.

2 THE COURT: Of course.

3 MR. GILMER-HILL: The Government has no objection to  
4 Mr. Jordan's proposed jury instructions.

5 THE COURT: Okay. Thank you.

6 MR. JORDAN: Your Honor, I have reviewed the  
7 Government's proposed voir dire. I have no objection.

8 THE COURT: Okay. So what I'll do is I'll begin the  
9 voir dire process asking the jurors to stand and answer the  
10 key questions that are sitting on the bench there for each of  
11 them. Did I give you that list? Oh, great. You have it.

12 MR. JORDAN: Your Honor, I'm not sure if I have the  
13 questions that you're going to be asking, the juror  
14 questionnaire.

15 THE COURT: Okay. Why don't we just get one from the  
16 -- there you go.

17 MR. JORDAN: Thank you, your Honor.

18 THE COURT: You're welcome. So I'll begin by asking  
19 the entire panel about any health problems, prepaid travel,  
20 that sort of thing. Then we'll call up the first 14 and we'll  
21 go through questions 1 through 10 for each of them. And we'll  
22 get a qualified panel in the box and then have an opportunity  
23 for exercising the first peremptory challenges. And then  
24 we'll qualify the next one and the next until we have a jury.

25 I'll ask basic questions such as whether they've ever

1 served as jurors, any immediate family involved in lawsuits.  
2 Have they ever been a witness. Have they ever been convicted  
3 of crimes. Close friends or family who are in law enforcement  
4 that might impact their decision for or against either side.  
5 Whether they can return a verdict based on the jury  
6 instructions as opposed to their own preconceived ideas about  
7 a case, things like that.

8 And then I'll pick a couple of the Government's  
9 proposed questions as well as I'd like to specifically focus  
10 on number 3 that you submitted, Mr. Jordan.

11 MR. JORDAN: Yes, your Honor.

12 THE COURT: So I'll ask those questions and then I'll  
13 let you both follow up and choose from your questions. I  
14 don't find anything that either of you have submitted to be  
15 objectionable to the Court. So at that point you can follow  
16 up and then starting with the Government, they have the burden  
17 of proof in this case, and then followed by you, Mr. Jordan.

18 And then I'll jump in with some follow-up. If a jury  
19 answers a question to one of you that deeply worries me, I'll  
20 take over. And you'll know. I'll say, hey, let me jump in  
21 here. So we'll make sure we've got a qualified jury by the  
22 time they get sworn in.

23 MR. JORDAN: Are we allowed to ask questions with  
24 respect to reasonable doubt and burden of proof?

25 THE COURT: Yeah. That's on the Government's list.

1 So certainly.

2 MR. JORDAN: Okay. In other words, we're not just  
3 precluded from asking questions -- just the questions we  
4 presented?

5 THE COURT: Generally that was the idea of what you  
6 would be submitting. But if a juror answers a question in  
7 such a way that you think follow-up is appropriate, then go  
8 ahead and follow up.

9 MR. JORDAN: Thank you, your Honor.

10 THE COURT: Okay. Do you have any questions for me  
11 at this point?

12 MR. JORDAN: Again, my peremptories were ten, I  
13 believe?

14 THE COURT: Yeah. That's the rule. The Government  
15 has six. This is Rule 24(b)(2) in a felony case. And  
16 defendant or defendants jointly have ten.

17 In terms of objections, I'll ask that you -- again, I  
18 hope I said that during the final pretrial conference  
19 discussion. But stand, indicate the nature of the objection.  
20 Not a speaking objection that would go into all the content of  
21 what the problem is that would then flag for the jury the  
22 whole situation.

23 If I think that I can rule on it based on that, I'll  
24 do so. If we need a sidebar conversation, I'll either request  
25 that you meet me at sidebar. And if either of you think that

1 this goes into something that I haven't been apprised of or  
2 wouldn't know about in the case, just request a sidebar and  
3 I'll grant that request and we'll meet at the side.

4 MR. JORDAN: Thank you, your Honor. Your Honor, we  
5 will go until 4:30 or 5:00 today?

6 THE COURT: We have to end before that. I have a --  
7 let's just be off the record for scheduling.

8 (Off The Record)

9 THE COURT: Mr. Jordan?

10 MR. JORDAN: Yes, your Honor.

11 THE COURT: I'm going to ask the Government to list  
12 the witnesses that they intend to call that they know of now,  
13 if they have rebuttal witnesses, just so that the jurors can  
14 figure out if they know any of these individuals. You're not  
15 obligated to do that, but if you wish to do it, just let me  
16 know.

17 MR. JORDAN: Thank you, your Honor.

18 THE COURT: Okay. And you also -- when we had the  
19 final pretrial, you mentioned that you usually reserve your  
20 opening statement until after the Government's case?

21 MR. JORDAN: That's correct, your Honor.

22 THE COURT: Okay. So that will be true today as  
23 well?

24 MR. JORDAN: Yes, your Honor.

25 THE COURT: Okay.

1 MR. JORDAN: Thank you.

2 THE COURT: And just so you know, Mr. Gilmer-Hill, I  
3 believe in kinder, gentler jury selections, so you'll get a  
4 printout with the first 14 jurors, first and last name, and  
5 their juror number. You don't have to go scribbling that in.

6 MR. GILMER-HILL: Thank you.

7 THE COURT: Mr. Jordan, our guest who's here, you can  
8 be seated. You're permitted to be a part of this procedure  
9 beginning to end.

10 MR. JORDAN: Thank you. That is Ms. White's husband.

11 THE COURT: And your last name's Mr. White.

12 MAN IN COURTROOM: Farley. The seats were just  
13 becoming a little painful.

14 THE COURT: Oh, okay. All right. I just wanted you  
15 to know you have -- this is a public trial. You have a right  
16 to be here.

17 MAN IN COURTROOM: I promise not to stand up too  
18 much.

19 THE COURT: I understand that for sure. Counsel, we  
20 have one juror who's sick and angry. I don't know whether  
21 those go together. So angry caused the sickness? So what  
22 we're going to do is bring him in separately. I'll ask him a  
23 few questions and most likely excuse him.

24 MR. JORDAN: Do we have time to go to the restroom or  
25 are the jurors right there?

1 THE COURT: Yes. Do that right now because Felicia's  
2 getting the jurors.

3 \* \* \*

4 (Whereupon Jury Voir Dire Transpired)

5 \* \* \*

6 THE COURT: You may be seated. Thank you, all, very  
7 much. And I want to reassure you that as of now, we will no  
8 longer be talking about you. We've been asking you a lot of  
9 questions. It's a little invasive and it can be a little  
10 personal. And I appreciate very much that all of you answered  
11 so many questions. So but this is the conclusion of that  
12 part.

13 Now you're no longer the subject of our questions and  
14 discussion. So what I do want to do is speak with you briefly  
15 about the function of both myself in the case as well as  
16 yourself as jurors. You've been sworn just now to be the jury  
17 and to try this case. By your verdict, you will decide the  
18 disputed issues of fact. I will decide the questions of law  
19 that arise during the trial. And before you retire to  
20 deliberate at the close of the trial, I will instruct you on  
21 the law that you are to follow and apply in reaching your  
22 verdict.

23 My responsibility is to conduct the trial of this  
24 case in an orderly fair and efficient manner, to rule upon any  
25 questions of law that arise during the course of the trial,

1 and to instruct you as that law applies in this case. So let  
2 me briefly tell you the order that we're going to follow from  
3 this point forward.

4 First, the lawyer from the Government -- you met Mr.  
5 Gilmer-Hill -- will make an opening statement in which he  
6 outlines his theory of the case. And he will tell you what --  
7 how -- the facts of the case as he expects they will come  
8 forward to you in the course of the trial.

9 The attorney for the defendant will probably reserve  
10 his opening statement until the Government concludes their  
11 case. These opening statements, regardless of when they are,  
12 are not evidence and are only intended to assist you in  
13 understanding the viewpoints and claims of the parties.

14 After the Government's opening statement, we'll begin  
15 taking evidence. The lawyer for the Government presents  
16 evidence first. He may call witnesses to testify and may also  
17 offer exhibits, such as documents or physical objects.

18 The lawyer for the defendant has a right to  
19 cross-examine witnesses that are called by the Government in  
20 order to test the truth and accuracy of their testimony or to  
21 elicit testimony that's favorable to the defendant. Following  
22 the Government's presentation, the defendant has an  
23 opportunity to present evidence. The attorney for the  
24 Government then has that same right to cross-examine any of  
25 the witnesses called by the defendant. However, the defendant

1 has no obligation to call any witnesses or to present any  
2 evidence at all.

3 After all the evidence has been presented, the  
4 attorneys for each side will have the opportunity to present  
5 what we call closing arguments to you in support of their  
6 case. You are, again, reminded that the statements of the  
7 lawyers are not evidence but are only intended to assist you  
8 in understanding the evidence and the theory of each side.

9 You must base your decision on the evidence. And  
10 just before the closing arguments, I'll give you final  
11 instructions on the law governing this case. And you will  
12 then deliberate after the closing arguments on your verdict.  
13 You will do that by applying the law to the facts as you find  
14 them to be. And I'll focus in on this again.

15 The function of the jury is to determine the facts.  
16 You are the judges of the facts. You determine the weight,  
17 effect, and the value of the evidence as well as the  
18 credibility of the witnesses. You must consider and weigh the  
19 testimony of all witnesses who appear before you. And you  
20 determine whether to believe any witnesses and the extent to  
21 which any witness should be believed.

22 It's your responsibility to consider any conflicts in  
23 testimony that may arise during the course of a trial. And  
24 your decision as to any fact in the case is final. On the  
25 other hand, as we discussed earlier during the jury selection,



1 it's your duty to accept the law as I instruct you in it.

2           You should keep an open mind and not express any  
3 opinion about the case until after you've heard all of the  
4 evidence, the closing arguments of the attorneys, and the  
5 instructions as to the law. And until you begin your  
6 deliberations in the jury room.

7           Sympathy must not influence your decision nor should  
8 your decision be influenced by prejudice regarding race, sex,  
9 religion, national origin, age, handicap, or any other factor  
10 that would be irrelevant to the rights of the parties.

11           Now, I've already mentioned several times that this  
12 is a criminal case. And so there are three basic rules about  
13 a criminal case that I want you to keep in mind as the trial  
14 gets underway. First, the defendant is presumed innocent  
15 until proven guilty. The indictment brought by the Government  
16 against the defendant is only an accusation and nothing more.  
17 It is not proof of guilt or anything else. The defendant  
18 starts out with a clean slate.

19           Second, the burden of proof is on the Government and  
20 we've been discussing these things throughout the morning.  
21 The defendant does not have -- just one second. I have a  
22 little bit of a frog in my throat under ordinary circumstances  
23 and it's warm in here. Okay.

24           So we were just discussing the burden of proof. And  
25 it stays with the Government until the end of the case. The

1 defendant has no burden to prove his or her innocence, in this  
2 case her innocence, or to present any evidence or even to  
3 testify. Since the defendant has the right to remain silent,  
4 the law prohibits you from arriving at your verdict by  
5 considering whether or not she has testified.

6 And third, the Government must prove the defendant's  
7 guilt beyond a reasonable doubt. I discussed this point  
8 earlier today and will give you further instructions on it  
9 later. But bear that in mind as you proceed through this  
10 case.

11 Now, until I discharge you as a juror, the only time  
12 you're permitted to discuss this case is after you have begun  
13 deliberations on your verdict. And that may surprise you  
14 because you'll hear from a witness and we may take a break and  
15 you would think, well, let's discuss it. But you're actually  
16 prohibited from doing that.

17 You may discuss the case only at the conclusion of  
18 all the evidence, the jury instructions, and the closing  
19 arguments and then only with other members of the jury and  
20 when you're all present in the jury room. This means you're  
21 not to discuss the case at all with family, friends, or even  
22 strangers until you have been discharged as a juror. And then  
23 at that point, you can. You can talk with anyone about it at  
24 that point.

25 You may not answer questions from members of your

1 family or anyone else about what kind of case it is or about  
2 what the case is about. And the reason for this restriction  
3 is that in talking about the case to others and hearing what  
4 they have to say, you may be influenced to form an opinion  
5 about the case. This would compromise the right of the  
6 defendant and the Government to have a verdict rendered only  
7 by the jurors on this case and based only on the evidence that  
8 you hear and see in the courtroom.

9 This also means you should not post on social media  
10 that you're serving as a juror or anything about this case  
11 until after a final verdict is reached and you are dismissed.  
12 This also means that, as I just said, you're not to talk with  
13 other members of the jury until you're instructed to begin  
14 deliberations.

15 And after you are discharged as a juror, you may talk  
16 to anyone you wish to about the case. Until that time, I ask  
17 that you control your natural desire to discuss this case  
18 here, at home, or anywhere else.

19 Now, you certainly will need to tell your employers  
20 that you're serving as a juror, and that's permitted. It's  
21 just that you can't go and say it's a criminal case and this  
22 is what the allegations are and that sort of thing.

23 Now, another thing that I mentioned earlier, during  
24 the time serving as a juror you should not allow anyone to say  
25 anything to you or in your presence about this case. If

1 anyone does try to say anything to you about the case in your  
2 presence, you should advise them that you're on the jury and  
3 you're hearing this case and ask them to stop. If they do not  
4 stop, you should let me know immediately. And even if they  
5 do, please report back that that happened.

6 And there are many ways that this happens. A witness  
7 who hasn't seen any of you would go to have lunch and you'd be  
8 sitting there having lunch and the witness would start talking  
9 about the case and have no idea you're a juror. So please let  
10 me know if that happens. But the first thing is to just say  
11 I'm a juror on the case. And they should stop speaking  
12 immediately.

13 And during the trial and until I discharge you,  
14 there's certain persons you cannot talk to at all, as I  
15 mentioned earlier. You cannot talk to any of the parties in  
16 the case or the lawyers or any witnesses, even if your  
17 conversation has nothing to do with the case. This is  
18 necessary to avoid even the appearance of unfairness or  
19 improper conduct on anyone's part.

20 If you're talking about the weather, somebody else  
21 might not know if you're talking about the weather. And so we  
22 just -- the easiest way to deal with that is to have no  
23 discussion with anyone sitting over here at counsel table or  
24 any of the witnesses.

25 Now, the only information that you will receive about

1 this case should come to you in the courtroom. You must not  
2 consider any information that could come to you outside of the  
3 courtroom. In that regard, you should not read newspaper  
4 headlines or articles relating to the trial. I never know  
5 what might be of interest to the media, whether this is a case  
6 or not a case that they're interested. So I tell all jurors  
7 this.

8 Also, you should not watch or listen to television or  
9 radio comments or accounts of this trial while it's in  
10 progress, if there are any. You should not visit the scene of  
11 any occurrences that might be described. And should it become  
12 necessary, we would all go together with the strict set of  
13 rules. But I don't anticipate that in this particular case.  
14 And finally you should not make any investigations on your  
15 own. You shouldn't do any research about the internet about  
16 any particular law or any location or anything of that sort.

17 I want to talk to you a minute about objections on  
18 television. Objection, your Honor. There's a big waving of  
19 hands. We're not going to have it quite like that here. But  
20 I do want to talk to you about objections.

21 A trial follows established rules of procedure and  
22 evidence. The lawyers are absolutely permitted and in many  
23 cases obligated to make objections and to raise motions. I  
24 will rule on those objections and motions, usually in your  
25 presence. You should not conclude from any of my rulings that

1 I have an opinion about the case or that I favor one side or  
2 the other. If I sustain an objection to a question and do not  
3 permit the question -- the witness to answer, you should not  
4 guess what the answer might have been or draw any inference  
5 from the question itself.

6 Sometimes the lawyers and I are required to consider  
7 objections and motions outside of your hearing. We may take  
8 care of those matters at the bench at the sidebar, in my  
9 chambers potentially, or I may excuse you so that you can take  
10 a break while we address those issues.

11 It's impossible to predict when such a conference may  
12 be required or how long it will last. I will conduct these  
13 conferences so as to use as little of your time as possible.  
14 I may also have to take care of some other matters that have  
15 nothing to do with this case. And I already know that it will  
16 be necessary for me to do that this week. Do not concern  
17 yourself with any of these matters that must be decided  
18 outside of your presence or hearing.

19 Now, I may give you additional instructions during  
20 the course of the trial, similar to what I'm saying now. I  
21 may say, you know, we had a witness say such and such. Please  
22 disregard that. Or I don't even know what it could be right  
23 now. These instructions are important because they will make,  
24 all combined, the package of jury instructions in this case.

25 Please let me know immediately if you are unable to

1 hear a witness or see something that might be demonstrated on  
2 the screen or held up. Just wave and let me know that you  
3 cannot see or hear.

4 Now, you may take notes during the trial. We'll give  
5 you a blank notebook. It's a small steno pad. But you don't  
6 have to take notes. If you do take notes, you should be  
7 careful that it does not distract you from paying attention to  
8 all of the evidence. When you go to the jury room to decide  
9 your verdict, you may use your notes to help you remember what  
10 happened in the courtroom.

11 If you take notes, do not let others see them.  
12 You'll leave them in the jury room at the conclusion of each  
13 day or if you go to lunch, we certainly will not look at them  
14 and no one involved in the case will.

15 After you have begun your deliberations, it's then  
16 permissible to allow other jurors to see your notes, if you  
17 choose. You must turn over your notes at any time that we  
18 ask. We have a situation where it's secure and in our jury  
19 room, and I'm pointing to it, so I don't think we'll have any  
20 problem with that.

21 So that constitutes the initial instructions about  
22 how the case is going to proceed. And what we'll do is  
23 dismiss you to go to the jury room. So Ms. Moses can sort of  
24 get you oriented about where it is and where you need to  
25 appear tomorrow morning.

1                   And the plan will be to start at 9:00 AM tomorrow  
2 morning. So I'd ask that you take that into consideration. I  
3 heard some of you coming from some distance. And there is  
4 traffic in the morning. So if you could do your very best to  
5 be here at nine o'clock, that would be most helpful.

6 Do any of you have questions about just the mechanics  
7 and practicality of all of this that you think we should all  
8 be aware of? Yes, Ms. Kaiser.

9 JUROR 14: Today we went a long time without eating.

10 THE COURT: Today we went a long time without eating.

11 JUROR 14: I think I speak for all of us. I need to  
12 eat and the bathroom.

13 THE COURT: I get in a groove here and I forget about  
14 everything, including to drink water. But I'll do my best not  
15 to let that happen. It's not fair to you or to anyone in the  
16 case. But if you need to take a break, just let me know.  
17 Just wave your hand, let me know. So don't hesitate  
18 throughout the case. If you need to stretch, just let us  
19 know. Okay.

20                   Anything else? Well, thank you, so much. It's  
21       fantastic that you're here. And we'll be getting the case  
22       underway at 9:00 AM.

23 THE CASE MANAGER: All rise for the jury.

24 (Jury Out)

25 THE COURT: So we will begin tomorrow at 9:00 AM with



1 the Government's opening statement. And I think you said you  
2 needed about 45 minutes? Up to, Mr. Gilmer-Hill?

3 MR. GILMER-HILL: Yes. I don't know if the Court  
4 recollects at that time. There were a lot of potential  
5 defendants. So I do think that will be sufficient. I will  
6 try to be shorter.

7 THE COURT: Okay. Fantastic. All right. Well, that  
8 will conclude our work together today unless anybody has  
9 anything.

10 MR. JORDAN: Thank you, your Honor.

11 THE COURT: Okay. Thank you.

12 MR. GILMER-HILL: Thank you.

13 (Proceedings Concluded)

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15 CERTIFICATE OF OFFICIAL COURT REPORTER

16 I, Jeseca C. Eddington, Federal Official Court  
17 Reporter, in and for the United States District Court Eastern  
18 District of Michigan, appointed pursuant to provisions of Title  
19 28, United States Code, Section 753, do hereby certify the  
20 foregoing 25 pages are a true and correct transcript of the  
21 proceedings had in the matter of UNITED STATES OF AMERICA  
22 versus TASHUN YVONNE WHITE, Case No. 15-20040 held on November  
23 28, 2016.

24 /s/ JESECA C. EDDINGTON  
25 Jeseca C. Eddington, RDR, RMR, CRR, FCRR  
Federal Official Court Reporter

5/10/2017  
Date